Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark Huffman, et al. .

Int'l Appln. .

No. : PCT/US03/11956 .

Int'l Date .

Filed : 17 April 2003 (17/04/2003) .

Serial No.: (To be assigned) Case No.: 20974YP

Filed: October 14, 2004

For : PROCESS FOR 5[[2(R)-[1(R)-[3,5-BIS

(TRIFLUOROMETHYL)PHENYL]ETHOXY]-3(S)-(4-FLUOROPHENYL)-4-MORPHOLINYL]METHYL]-

1,2-DIHYDRO-3H-1,2,4-TRIAZOL-3-ONE

Commissioner for Patents
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

DATE OF DEPOSIT OCT 14, 2004

EXPRESS MAIL NO. E. 989587479 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSED"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER FOR PATENTS, PO. BOX 1450,
ALEJANDRIA, VIRGINIA 22313-1450.

MAILED BY OCH 14, 2004

Serial No.:

Case No .: Page

To be assigned 20974YP

This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Pursuant to the waiver by the Office of the requirements of 37 CFR § 1.98(a)(2)(i), copies of each cited U.S. patent and each U.S. patent publication are not enclosed herewith.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the present application.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

eg. No. 35,382

Attorney for Applicant

MERCK & CO., Inc.

P.O. Box 2000

Rahway, New Jersey 07065-0907

(732) 594-3904

Date: October 14, 2004

betitute for form 1440A/DTO			COMPLET OF KNOWN		
· · · · · · · · · · · · · · · · · · ·	DIS	ÖSURE	Application Number	DTO THE OCT SE 1 8 OCT 200	
STATEMENT BY APPLICANT			Filing Date	14 001 200	
			First Named Inventor	Mark Huffman, et al	
(Group Art Unit		
(use as many sheets as necessary)			Examiner Name		
1	of	1	Attorney Docket Number	20974YP	
	TATEMENT BY	NFORMATION DIS TATEMENT BY AP (use as many sheets as n	TATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number Filing Date First Named Inventor (use as many sheets as necessary) Group Art Unit Examiner Name	

U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY			
		US 5,637,699		Dorn et al	06/10/1997			
		US 5,719,147		Dorn et al	02/17/1998			
		US 6,096,742		Crocker et al	08/01/2000			
		US 6,229,010		Crocker et al.	05/08/2001			
		US 6,297,376		Cottrell et al	10/02/2001			
				·				
	<u> </u>							
		<u> </u>						
	 							

FOREIGN PATENT DOCUMENTS									
			Foreign Patent Documen	it		Date of Publication of Cited Document MM-DD-YYYY			
Examiner Initials*	Examiner Cite Initials* No.		Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document				
-		 							
·				-	**				
<u> </u>									
			 .						
	 -								
		<u> </u>							

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Signature Date Considered